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REMARKS

Claims 1-15 were rejected. Claims 16-29 are allowed. Claims 1, 2, 5, 6, 8, 9, 12, 13, and 14 been amended herein, the remaining claims stand as originally filed or previously presented. The applicants request reconsideration of all rejected claims.

I. Rejection of Claims 1, 2, 7-11, and 13 Under 35 U.S.C. §102(a)

Claims 1, 2, 7-11, and 13 were rejected under 35 U.S.C. §102(a) as being anticipated by Haerle (U.S. 6,486,945).

The applicants contend that the rejection under 35 U.S.C. §102(a) is not proper. However, the applicants contend that even if the rejection is proper, the claims are not anticipated by Haerle.

CLAIM 1

Claim 1, as amended herein, is copied as follows:

An image capture device, comprising:
an illumination source connected to a power source;
a simulation circuit, wherein said simulation circuit simulates said illumination source, said simulation circuit comprising a circuit output and a circuit input, wherein said circuit input is connected to said power source; and,
an exposure adjustment device coupled to said circuit output, wherein exposure adjustment device compensates for changes in said illumination source as indicated by said circuit output.

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Claim 1 has been amended to better define it. As shown above, claim 1 includes a illumination source and a simulation circuit. The simulation circuit simulates the illumination source. The exposure adjustment device "compensates for changes in said illumination source as indicated by said circuit output."

According to the office action, Haerle discloses an optical monitoring device. For example, in Fig. 1, Haerle discloses a plurality of photodiodes D(n)1 that monitor the light intensity of LEDs D(n)2. However, there is nothing disclosed in Haerle regarding a circuit that simulates an illumination source. The applicants respectfully note that monitoring the light intensity of an LED does not constitute simulating the LED. The applicants respectfully note that there is not disclosure in Haerle related to simulating the operation of any illumination source.

The office action refers to column 3, line 53 of Haerle in support of the rejection. This section of Haerle simply discloses measuring the voltages at different nodes in the circuit of Fig. 1 of Haerle in order to determine the current flowing through the LEDs. Thus, Haerle simply provides measuring devices or circuits to monitor current through the LEDs. There are not simulation circuits disclosed in Haerle.

The applicants note that there is a difference between monitoring a circuit and simulating a circuit. A simulation circuit provides an indication as to the performance of the circuit being simulated. For example, an RC circuit may provide an indication as to the intensity of an LED without the need to measure current passing through the LED or the light intensity of the LED. It is the monitoring circuit, such as those disclosed in Haerle, that monitor a circuit.

Based on the foregoing, Haerle does not disclose all the elements of claim 1. Therefore, the applicants request reconsideration of the rejection.

CLAIMS 2 AND 7

Claims 2 and 7 are dependent on claim 1 and are deemed allowable by way of their dependence. Therefore, the applicants request reconsideration of the rejections.

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CLAIM 8

Claim 8, as amended herein, is directed toward:

A method of compensating for changes in an illumination source,
said method comprising:

simulating said illumination source using a circuit, said circuit
comprising an input and an output;

applying a potential to said illumination source and the input of said
circuit;

monitoring the potential of the output of said circuit; and

adjusting an exposure to compensate for changes in said
illumination source based on said potential of the output of said circuit.

Claim 8 was rejected on the same grounds as claim 1. Therefore, the
applicants incorporate the rebuttal to the rejection of claim 1 into this rebuttal of the
rejection of claim 8.

As set forth above in the rebuttal to the rejection of claim 1, Haerle does not
disclose a "simulating said illumination source using a circuit." Rather, Haerle
discloses circuits that monitor the illumination source. None of the disclosed circuits
disclosed in Haerle simulate an illumination source.

Based on the foregoing, Haerle does not disclose all the elements of claim 8.
Therefore, the applicants request reconsideration of the rejection.

CLAIMS 9-11 AND 13

Claims 9-11 and 13 are dependent on claim 8 and are deemed allowable by
way of their dependence. Therefore, the applicants request reconsideration of the
rejections.

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II. R j ction of Claim 1-15 Under 35 U.S.C. §103(a)

Claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tanaka (U.S. 5,065,007) in view of Ryczek (U.S. 5,471,052).

CLAIM 1

According to the office action, Tanaka discloses a device for measuring the amount of light output from an LED. As set forth above, measuring the light output by an LED does not simulate an illumination device, including an LED, as recited in claim 1. The office action states that Tanaka does not disclose a light output measuring model. The applicants contend that Tanaka, therefore, cannot disclose simulating an illumination device as claimed in claim 1.

As with the previous references, Ryczek does not disclose a circuit that simulates an illumination source as recited in claim 1. Rather, and as stated in the office action, Ryczek discloses measuring the output of LEDs. There is not circuit disclosed in Ryczek that simulates an LED.

Based on the foregoing, neither Tanaka, Ryczek, nor their combination, disclose all the elements of claim 8. Accordingly, the references cannot render claim 1 obvious. Therefore, the applicants request reconsideration of the rejection.

CLAIMS 2-7

Claims 2-7 are dependent on claim 1 and are deemed allowable by way of their dependence. Therefore, the applicants request reconsideration of the rejections.

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CLAIM 8

Claim 8 was rejected on the same grounds as claim 1. Therefore, the applicants incorporate the rebuttals to the rejection of claim 1 into this rebuttal of the rejection of claim 8.

As set forth above, neither Tanaka, Ryczek, nor their combination disclose "simulating said illumination source using a circuit" as recited in claim 8. Therefore, neither Tanaka, Ryczek, nor their combination disclose all the elements of claim 8. Accordingly, the references cannot render claim 8 obvious.

Based on the foregoing, the applicants request reconsideration of the rejection.

CLAIMS 9-15


Claims 9-15 are dependent on claim 8 and are deemed allowable by way of their dependence. Therefore, the applicants request reconsideration of the rejections.

All of the currently pending claims are believed to be in condition for allowance, and the Applicants respectfully request that a timely Notice of Allowance be issued.

Respectfully submitted,
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